

9/7/07 7:06 PM

a-nuc book/FU TODA/DRAFT FINAL

The chance that some nuclear weapons will kill masses of innocent humans somewhere, before very long, may well be higher than it was before the fall of the Berlin Wall.

One phase of the nuclear age, the period of superpower arms race and confrontation, has indeed come to a close: for now. But another dangerous phase now looms, the era of nuclear proliferation and with it, an increased likelihood of regional nuclear wars and nuclear terrorism. And this prospect is enhanced not just by "rogue" states or sub-state terrorists but above all by the United States.

This influence of the U.S. is critical for two reasons. First, because the U.S. has led by example for sixty-two years of making nuclear first-use threats in external conflicts, and it is engaged in making such threats right now. Second, because it may soon be the first state since 1945 to carry out such threats (after having been, at the outset of the nuclear era, the first and, so far, only one ever to do so). If and when this happens—if the people of the world and particularly the people of the United States do not prevent it—the damage to the prospects of halting proliferation and eventually eliminating nuclear weapons, even to prospects of survival of human civilization, may well be irreversible.

For the last two years, the greatest short-run danger of nuclear explosions on people has been posed by U.S. threats of a near-term air attack on Iran, possibly with nuclear weapons. In August of 2005, Philip Giraldi, a former senior CIA official, reported that "the Pentagon, acting under instructions from Vice President Dick Cheney's office" had tasked the U.S. Strategic Command with preparing contingency plans for a "large-scale air assault on Iran employing both conventional and tactical nuclear weapons." The latter were for "suspected nuclear-weapons-program development sites" that were "hardened or are deep underground and could not be taken out by conventional weapons."¹

Since then Giraldi's brief comment has been confirmed many times over, notably by Seymour Hersh² in *New Yorker* articles in 2006, but also by many other journalists relying on unnamed but high-level sources. Hersh also reported, along with his accounts of the detailed discussions and planning, high-level military skepticism about the feasibility and consequences of the planned air attack, and very strong opposition to the "nuclear option" by the Joint Chiefs of Staff. As a result, he reported in July, 2006, the White House had reluctantly "dropped its insistence that the plan for a bombing campaign include the possible use of a nuclear device to destroy Iran's uranium-enrichment plant at Natanz," although, a former senior intelligence officer told him, "Bush and Cheney were dead serious about the nuclear planning" and "the civilian hierarchy feels extraordinarily betrayed by the brass."

¹ "Deep Background," *The American Conservative*, August 1, 2005.

² *The New Yorker*, April 10-17, 2006 and July 10-17, 2006.

Given such attitudes, and given the calculations reported by Hersh and others that only earth-penetrating nuclear weapons could promise “decisive” destruction of the hardened underground sites, there seems little assurance that the planning already completed for nuclear operations against them will not be taken off the shelf in a second round of massive air operations. And a second round is as certain to occur as is a dramatic retaliation by Iran—against American ships in Persian Gulf, or (with participation of Iraqi Shia) against American troops in Iraq, or against Israel—to the first round.

In the light of reports that not only the JCS but Secretary of Defense Gates and Secretary of State Rice oppose any attack, it is not certain to occur. Yet, it is not highly unlikely, either, given the frequently reported determination of the president and vice president to bring about regime change in Iran, or at least to destroy its military structure and nuclear program, while they are still in office. (The very same high-level line-up of internal skeptics did not prevent President Nixon from sending U.S. troops into Cambodia in 1970.) Both these propositions apply as well to the use of nuclear bunker-busters if there is a massive air attack: which at this moment, seems very likely, with what appears to be a replay of Bush Administration sales campaign of August-September 2002 for the attack on Iraq.³

To repeat: there may not be an attack on Iran, in the remaining fourteen months of the Bush Administration. And if there is an attack, threats of nuclear weapons may not be carried out. What I wish to focus on here is the fact that the threats are occurring, with little domestic opposition: and what that discloses about the past, present and future of the nuclear era.

A critical moment came just a week after the first Hersh article appeared on April 10, 2006. On April 18, the following exchange took place in a presidential press conference, reflecting the international commentary that Hersh’s revelations about nuclear planning aroused (briefly):

Q Sir, when you talk about Iran, and you talk about how you have diplomatic efforts, you also say all options are on the table. Does that include the possibility of a nuclear strike? Is that something that your administration will plan for?

THE PRESIDENT: All options are on the table.

³ That campaign is reaching new heights as this is written (September, 2007) with a crescendo of administration claims that Iran has been killing American soldiers in Iraq, in effect charging acts of war: more reliably inflammatory of an American public than speculations about nuclear capability several years off. Ominously, neither Congress nor the media are questioning these claims of official Iranian responsibility for and direct involvement in attacks on Americans, though the Administration is offering even less direct evidence of it—to be precise, none—than in the earlier campaign about WMDs in Iraq.

As viewers can still see on their computers—the moment was captured on YouTube—the president’s answer was swift and pointedly emphatic: “*All options...*” (All except, for Bush, direct negotiations with Iran, regular diplomatic relations, assurances against American attack, or expanded trade).

From that time on, the formula as used by others—always, without qualification—lacked ambiguity. And the others who have used it in the last year and a half (aside from Cheney) include the three leading Democratic candidates for the presidency, Hillary Clinton, Barack Obama and John Edwards.⁴ And five of the nine Republican candidates taking part in a debate televised by CNN on June 5, 2007 (Rudolph Giuliani, Governor Mitt Romney, Congressman Duncan Hunter, Virginia Governor James Gilmore, and Senator John McCain).

The question they were asked was “their readiness to authorize a pre-emptive nuclear attack on Iran if that was what it would take to prevent the Islamic Republic from having a nuclear bomb”; their repetition of the slogan about keeping options on the table was in specific response to questions about tactical nuclear weapons.

Only Ron Paul, the libertarian Republican Congressmen, had a different reaction. “Asked what he saw as the most pressing moral issue facing the United States, Paul said: “I think it is the acceptance just recently that we now promote preemptive war. I do not believe that’s part of the American tradition...And now, tonight, we hear that we’re not even willing to remove from the table a preemptive nuclear strike against a country that has done no harm to us directly and is no threat to our national security!”⁵

Paul’s incredulity about what he had just heard from his fellow Republican presidential candidates would seem to some (me) an expression of sanity. But it is of note that it was left to be remarked by a candidate who stands at 1% popular support in polls. His 1% counterparts in the Democratic presidential debate ranks, Dennis Kucinich and Mike Gravel would have said the same; and they would have been just as isolated among their rivals.

Finally, to nail this point down, it was reported that when the Democratic front-runner Hillary Clinton was first told that her rival Barack Obama had taken the nuclear option off the table for attacking *Pakistan*, a “slight smile” crossed her face, before she moved in confidently for the kill. She had been charging Obama in the campaign so far with being

⁴ Thus, for example, Edwards at the Herzliya Conference in Israel in January 2007: “To ensure that Iran never gets nuclear weapons, we need to keep ALL options on the table, Let me reiterate – ALL options must remain on the table.” (Emphasis his, in his written transcript.) Reported January 23, 2007, Ron Brynaert, The Raw Story (internet).

⁵ Quotations are from New America Media, July 23, 2007, “Republican Candidates Rattle Nuclear Tails Against Iran”.
http://news.newamericamedia.org/news/view_article.html?article_id=f3bb591fbc68e89a9d7be4d649baf99

too naïve and inexperienced to be trusted with the presidency, and, as she realized immediately, he had just proved her point.

Obama had been asked by an AP reporter whether there was any circumstance where he would be prepared or willing to use nuclear weapons in Afghanistan and Pakistan to defeat terrorism and Al-Qaida leader Osama bin Laden. As USA Daily reported, “I think it would be a profound mistake for us to use nuclear weapons in any circumstance,’ Obama said, with a pause, “involving civilians.’ Then he quickly added, ‘Let me scratch that. There’s been no discussion of nuclear weapons. That’s not on the table.’” “When asked whether his answer also applied to the possible use of tactical nuclear weapons, he said it did.”⁶ (For Afghanistan and Pakistan, he meant; he had elsewhere kept it on the table for Iran, like Clinton and Edwards.)

Ron Paul, presumably, would have applauded that answer. But Hillary Clinton, who has no interest in 1% solutions in presidential campaigns, knew better. The AP account continues: “Clinton chided her fellow senator about addressing hypotheticals.” [Obama had quickly thought of that too, but not quickly enough: he paused too long to scratch it.]

“Presidents should be very careful at all times in discussing the use *or non-use* of nuclear weapons...I don’t believe any president should make any blanket statements with respect to the use or non-use of nuclear weapons,’ Clinton said. [emphasis added; she was ruling out, under virtually any circumstances, committing to or even discussing “non-use.”] Asked about the notion of unilateral U.S. military action in Pakistan to get al-Qaida leadership [which she elsewhere endorsed as an option, agreeing with Obama]: ‘How we do it should not be telegraphed or discussed for obvious reasons.’”

So: what is obvious to the front-runner—along with the generally-agreed feeling that she had won this round—is that a real president, or someone qualified to be one, would not “telegraph” that he or she *would not* use tactical nuclear weapons in unilateral operations against guerrillas inside the territory of a nuclear-armed ally. Indeed, as Reuters paraphrased Hillary Clinton as saying in this exchange, “presidents *never* take the nuclear option off the table.”⁷ [emphasis added]

That is undoubtedly what she meant to say. And it is, simply, a correct statement: about American presidents in the nuclear era, all of them so far. Moreover, she may well prove to be right in her belief that observing that tradition is still regarded as a requirement for nomination to the presidency in the twenty-first century.

What no one noted in this country (though undoubtedly some did elsewhere) was that in rejecting summarily, almost ridiculing, a “blanket” commitment of non-use of nuclear weapons in our dealings with Pakistan, Hillary Clinton *was using* our nuclear weapons in

⁶ AP, Dennis Conrad, August 2, 2007, *USA Daily*.

⁷ *Reuters*, Steve Holland, August 2, 2007. “Obama, Clinton in new flap, over nuclear weapons.” Clinton was “extending their feud over whether Obama has enough experience to be elected president in November 2008.”

our negotiations with Pakistan's leadership. As is the president, the vice president, and at least five Republican and three Democratic presidential candidates (along with many Congressional leaders) with respect to our negotiations with Iran. (Though "negotiation" is a questionable term for bargaining under the shadow of a nuclear threat. If it were a one-on-one situation, a closer legal description would be "assault," or "torture.")

In short, no major candidate in either party has been willing to undercut the president's "bargaining hand" by insisting that *initiating or threatening a nuclear attack (particularly, against a non-nuclear adversary that does not threaten overwhelming attack against us or anyone else) is not a legitimate "option" for the president of the U.S. or for any other national leader.*

As the non-major candidates Ron Paul, Dennis Kucinich or Mike Gravel might ask: How have we come to this? When did this begin?

The answer is: A long time ago.

Meanwhile—to point out a cost of this situation--it should be self-evident that a nation that is currently threatening first-use of nuclear weapons for national purposes, and has traditionally defended the legitimacy of doing so, is devoid so long as that persists of any moral authority--or really, much hope of any effective influence of any kind--toward averting either proliferation or similar threats by others. Indeed, it cannot fail to *promote* both spread and use of nuclear weapons .

Such threats have the perverse effect of challenging other states, distinctly including Iran right now, to acquire nuclear capabilities of their own, thereby stimulating a regional nuclear arms race—mimicking past superpower folly—to be able likewise to threaten, to deter or to preempt nuclear attack.

Yet it will take more than a change in administration or party for the U.S. government to join China and most of the non-nuclear states of the world in rejecting the legitimacy of first-use threats or attacks under any circumstances. The opposite of that proposition has been fundamental to U.S. nuclear policy, and to its military policy as a whole, every year since 1945.

Preparations, plans and commitments to *initiate* nuclear war in various circumstances of crisis have long been the basis of fundamental, longstanding U.S. policies not only for Europe, but, more secretly, in Asia and the Middle East.

It is general knowledge in West Europe (though less so among the American public) that U.S. commitment to either a "tactical" first-use of nuclear weapons or a strategic first-strike against the Soviet Union in response to an overwhelming *non-nuclear* Soviet attack or siege of West Berlin--along with full readiness to implement these threats--have been at the heart of NATO strategy since its inception. (Indeed, that threat remains basic NATO doctrine today, even though much of the former Warsaw Pact is now inside the

alliance and the rest, including Russia, is applying for membership or a cooperative relationship).

What is much less widely known in the U.S-- even by scholars, "experts," and opponents of nuclear weapons--is the frequency of consideration by our highest civilian and military officials of initiating nuclear war or threatening and preparing to do so in crises *outside* Europe.

reaction forced on the - 5 VCs - never used

The notion common to nearly all Americans that "no nuclear weapons have been used since Nagasaki" is mistaken. It is simply not the case that—as is often asserted by specialists in foreign policy or nuclear weapons strategy and arms control, and even by anti-nuclear activists--U.S. nuclear weapons have piled up over the years, *unused and unusable* save for the twin functions of deterring or responding to nuclear or massive conventional attack against our allies or us by the Soviets. Again and again, generally in secret from the American public though not from adversaries, U.S. nuclear weapons *have* been used, for quite different purposes than these.

"off the table,"

"out of the room"

They have been used in the precise way that a gun is used when you point it at someone's head in a direct confrontation, whether or not the trigger is pulled. For one type of gun-owner, getting their way in such situations without having to pull the trigger is the best possible use of the gun. It is why they have it, why they keep it loaded and ready to hand, on hip or "on the table."

starts with

It turns out, as long-secret documents or transcripts have emerged over the years along with memoirs, that all American presidents since Franklin Roosevelt have shared that motive, at times, for owning nuclear weapons: the incentive to threaten "first-use," the threat to initiate nuclear attacks if an adversary does not meet certain conditions in a crisis.

In the sixty-two years since Hiroshima, of the ten presidents from Harry Truman to George W. Bush, nine of them have felt compelled in the midst of an ongoing non-nuclear conflict or crisis to consider or direct serious preparations for possible imminent U.S. initiation of tactical or strategic nuclear warfare. In nearly two dozen cases, involving all nine of these American presidents, their consideration led to their use of nuclear threats, generally in secret from the US public, in crises and limited wars in Indochina, East Asia, Berlin, Cuba and the Middle East.⁸

1983,

Andropov

(The one exception, Ronald Reagan, did not experience a crisis of comparable challenge. And all ten, including Reagan—who publicly endorsed the Carter Doctrine in 1981 and, of course, maintained U.S. nuclear obligations to NATO and elsewhere--maintained continuous commitments, along with up-to-date planning and readiness, to implement

⁸ In two cases, numbers 4 and 7 in the Appendix list, no threat may have been communicated to a foreign power: Dulles' offer of nuclear weapons to Bidault to defend Dienbienphu (rejected by Bidault) and Eisenhower's authorization to Twining to use nuclear weapons to repel a possible invasion of Kuwait by Iraq in 1958 (sic!).

nuclear plans if major challenges arose in the NATO area, the Middle East, or other countries under our “nuclear umbrella” such as Japan and South Korea. None considered, for a moment, adopting a “no-first-use” commitment, which would have contradicted our explicit NATO commitment as well as forbidding the crisis considerations above.)

Since the proposition in boldface above is so unfamiliar—indeed, so apparently extreme, hard to believe—I urge the reader *at this point* to look through the twenty-five examples (there are others) listed in the Appendix to this paper.⁹ I believe it is difficult otherwise for most Americans to conceive that my assertions above could be valid. I will proceed in what follows in the body of this paper to assume that the reader has explored to some degree that body of data (which is not to say that all the cases are, as of this writing, equally well documented, nor that my own inferences from them are beyond argument).

Some general observations:

Although the current warnings and preparations for nuclear war in the Middle East are the most *public* threats since the Carter Doctrine twenty-seven years ago, or the crises over Berlin and Cuba nineteen years before that, it follows from this listing that there has been no sixty-two year moratorium upon the active consideration and use of nuclear weapons to support “nuclear diplomacy.”

See false shows, 1979'
(Chapman?)

Second: ^{by US} None of these cases prior to 2002 involved blatant aggression, threats for the purpose of land-grab, “preventive wars.” That cannot be said—quite the contrary—for George W. Bush’s threats in connection with his invasion of Iraq in 2003. The others, from the point of the presidents and their aides, appeared to them “defensive,” holding on to an existing sphere of influence: however much and however realistically that may have looked to observers, critics and adversaries in particular cases that it involved holding on to parts or forms of empire, “defending” what was not rightfully “ours.”

Even in the Persian Gulf, there has been a feeling, not only among our officials, that we were and are defending “our” oil, or our “access” (read, control). As a poster often carried in demonstrations protesting the Iraq invasion put it, with rather profound irony: “How did our oil get under their sand?”

⁹ In my essay “Call to Mutiny” (Introduction to *Protest and Survive*, ed. E.P. Thompson and Dan Smith, New York, 1981) I presented a list of eleven cases. plus a reference to nineteen nuclear “shows of force” listed by Barry Blechman and Stephen Kaplan, *Force Without War*, Brookings, 1978. Three presidents and twenty-six years later, many other cases have surfaced, thanks to FOIA and such windfalls as the Nixon tapes.

As I mention in a note in the Appendix, Joseph Gerson’s outstanding analysis, *Empire and the Bomb* (Ann Arbor, 2007) adds some examples not in my Appendix (yet): see his Table 1.1, pp. 37-38, which also illustrates that the Soviets, Chinese, Israelis, Pakistanis and Indians have all used their bombs in the same way as the U.S., though much less often.

(I am not making apologies for these distinctions or the ideology that underlies them, just observing them. I must say that I once shared these reassuring perceptions, as what I would now see as a sub-manager of empire, but I became free of these particular delusions, with help, forty years ago.)

Third,; it is noteworthy that *every time* troops of an ally we supported or our own interventionary forces were in danger of being surrounded or overrun—the French at Dienbienphu, Chiang’s troops deployed on Quemoy, Marines at the Chosin Reservoir or Khe Sanh—there was active military and presidential consideration of using nuclear weapons to defend them.¹⁰

And the inescapable calculation that American troops—of whatever size force--sent to break through a Soviet blockade of West Berlin would inevitably be subject to being surrounded by superior Soviet forces in East Germany lay at the root of American planning to threaten or launch nuclear weapons, if necessary, to maintain our access to and control of West Berlin. That contingency alone was sufficient to serve as the pivot for our whole strategic posture.

I suspect that anti-nuclear activists in general have too little appreciated the link between our ambitious imperial policy—our belief that we had the right to a sphere of influence that extended right to the borders of the Soviet Union and China (now, the whole world) as in Iran, Korea, the Persian Gulf, Taiwan, Vietnam—and our reliance on first-use nuclear threats to make that feasible, to give us a trump-card ability to protect our expeditionary forces thousands of miles from home from larger ground forces operating in their own neighborhoods.

Another linkage too often missed by my colleagues in the anti-nuclear movement, it has seemed to me, is that between U.S. first-use threats and our escalatory strategic forces. Since beginning to investigate the secret history of nuclear threat-use in the late ‘70’s I have come to see it as a crucial part of the explanation why ten U.S. presidents have continued over three generations—even after the arrival of parity with the Soviets and even after the Soviet Union ceased to exist—to develop and buy more and more first-use and first-strike nuclear weapon systems, and to insist on maintaining a huge arsenal of them indefinitely.

Incentives in the political economy of the U.S., and earlier the Soviet Union—each of which, as E.P. Thompson once put it,¹¹ could well be seen as *being* rather than having a

¹⁰ Very reluctantly on LBJ’s part with respect to Khe Sanh. But he did not withdraw from the base—though we had no business being there, or in South Vietnam--when General Wheeler told him that he could not assure their defense without nuclear weapons, if they were attacked in force during bad weather when close air support was hindered. Nor did he signal that he would not, even in that case, authorize nuclear defense. It is hard to believe, in fact, that he would have let the Marines be captured or killed without ordering tactical nuclear weapons on the North Vietnamese attackers.

¹¹ “Notes on Exterminism, the Last Stage of Civilization,” in *Exterminism and Cold War*, ed. New Left Review (London, 1982). The quote, as I recall it [check] is something like this: It is misleading to say that the U.S. and Soviet Union have military-industrial complexes. It is more realistic to say that they *are* military-industrial complexes.

military-industrial complex—go a long way to explain this inertial buildup. But that does not plausibly account for the particular, largely destabilizing nature of the highly accurate, fast-response weapons systems actually developed and deployed.

The largely-unknown history of the frequent presidential recourse to nuclear threats suggests a precise explanation for this. All postwar presidents—even those who may have abhorred the notion of actually launching nuclear weapons under any circumstances—have felt obliged, partly from their personal experience in office (and partly from pressure by foreign policy elites) to maintain and increase the credibility and effectiveness of nuclear *threats* they might make in the future.

In particular, the need to make our threat to initiate tactical or strategic nuclear attacks on the Soviets to protect our ground access to Berlin credible enough to deter the Soviets from capturing or destroying our ground probes, compelled us (sic) to build strategic forces *for escalation or preemption, not retaliation*, that could nevertheless kill half a billion humans or more; and to maintain the organizational and psychological readiness to launch them with that probable effect: to prevent the loss of West Berlin.

As E.P. Thompson said of this logic and posture, “If all this sounds crazy, then I can only agree that crazy is exactly what it is.”¹² Even as a Cold Warrior (who felt strong concern for the freedom of the people of Berlin) in the Pentagon in the early Sixties, I thought that policy was immoral and insane. But I can’t claim that I did what I should have to expose it, as a possible step toward transforming it.

Finally: Some of these two dozen nuclear threats were probably bluffs, some probably not. Most were ambiguous, some were surely unnecessary, a few were defied (notably, Nixon’s nuclear threats in 1969 and later: see the Appendix). But most were believed by presidents and their officials to be successful—rightly or wrongly—which is why they kept relying on them.

One of the successes, the Pentagon and White House concluded, was the Gulf War in 1991. Saddam Hussein did not, after all, use the chemical weapons he then possessed—some on alert missiles-- either against Allied troops or against Israel. Fear of Israeli nuclear reprisal may have been an especially effective deterrent to his attacking Israel with gas warheads. But the U.S. also used its weapons. In delivering a warning letter from President George H.W. Bush to the Iraqi Foreign Minister Tariq Aziz, Secretary of State James A. Baker III says in his memoirs that “I purposely left the

¹² Quoted in “Call to Mutiny,” (1981), followed by my comment: “Yet there is a short-run, narrow-focus rationality, certain coherent, if reckless logic to the traps the Pentagon planners are so carefully setting for themselves, and all of us on earth. If they did not develop and deploy these new first-strike weapons [of which SDI is a current example] they could no longer even pretend that threats to initiate, or escalate nuclear war *against the Soviets* were anything but hollow.” *SD ally*.

The logic of Vice President Cheney and the neo-cons about what we can and must do to control the Middle East is exactly as coherent, and as crazy. I learned fifty years ago the possibility of that craziness in our otherwise-shrewd leadership. And not alone in ours: which makes the world, in the nuclear era, much more than twice as dangerous.

impression that the use of chemical or biological agents by Iraq could invite tactical nuclear retaliation.”

At the same time, William Arkin cites Bush’s memoirs as reporting to the effect Bush had, to the contrary, “privately decided in December 1990 that U.S. forces would not retaliate with nuclear weapons even if the Iraqis used chemical munitions.” In other words, in Bush’s own mind the impression Baker intended was a bluff. Nevertheless, Arkin’s interviews with Iraqi civilian and officials after the war left him with “no doubt that Saddam’s government believed that the United States was prepared to use nuclear weapons had Iraq used chemical-tipped Scud missiles.”¹³ And not only in that case. Arkin reports that Vice President Cheney, on a Sunday interview program, left the impression that excessive U.S. casualties, not only Iraqi chemical weapons, could trigger nuclear use. According to a CNN/Time poll in November, 45% of the American public favored such use, “if it might save the lives of U.S. troops.”

Still, most officials stuck to the slightly-ambiguous script that was, evidently, pulled out of the drawer eleven years later (once more facing the possibility of Saddam’s chemical weapons, by then non-existent) and again this year for Iran. On February 1, 1991, with reference to the nuclear debate, Vice President Quayle explained on BBC that U.S. “policy is very clear and that is we simply don’t rule options in or out.” On February 2, urged by the White House to “clarify his views,” as Arkin puts it, Quayle said on CNN more than once that “I just can’t imagine President Bush making the decision to use chemical or nuclear weapons under any circumstances,” then added, “But you never rule options—any options—out,” which was all the news media quoted (Quayle’s “refusal to rule out the use of nuclear weapons.”)

“When asked if Quayle’s statement meant that the United States might use nuclear weapons...Secretary Cheney said, ‘I think it means we don’t rule options in or out.’ Or as President Bush himself had said in November, “I am going to preserve all options.”

In any case, as Arkin’s interviews revealed, Iraqi officials in general felt sure the nuclear option was in, indeed, likely or certain to be chosen if they used their chemical weapons. And they may well not have been wrong. Though apparently Baker and Scowcroft, then National Security Advisor, agreed with Bush that nuclear weapons should not be used, they evidently did not tell then Secretary of Defense Cheney this. Five years later he believed that the Bush administration had never made an official decision about it; he told CNN, “If Iraq used chemical or biological weapons...the U.S. would consider all options including nuclear weapons.”

And indeed, even Bush and Baker could not have reliably predicted their own response in the event of heavy U.S. casualties. General Powell, then Chairman of the Joint Chiefs, left open that question about himself; he reports highly secret studies by the Chiefs about

¹³ William M. Arkin, “Calculated Ambiguity: Nuclear Weapons and the Gulf War,” *The Washington Quarterly*, 1996 Autumn, Vol. 19, No. 4: an unusually thoughtful, detailed and illuminating analysis. All quotes in this section are from Arkin.

using nuclear strikes to destroy the Republican Guard divisions, not only to retaliate to WMDs.

As for the Iraqis, Tariq Aziz said in 1995 that Iraq did not launch its chemical weapons because the leaders feared nuclear retaliation. Some serious authorities question this, and others would stress other constraints, military and physical, on Iraqi capabilities. But what matters in this discussion is what U.S. officials believed and how they—and just as important, leaders in other regimes—reacted.

Baker says in his memoirs, “My own view is that the calculated ambiguity regarding how we might respond has to be part of the reason” that Iraq failed to use its chemical or biological agents. Arkin, along with many other journalists and scholars, notes that the Pentagon was even more confident of this conclusion; and drew from it that first-use threats, ambiguous or not, were both effective and essential in deterring WMD use in their future adversaries (with some in the Pentagon, including Paul Wolfowitz, already having Iraq in their sights again). If there was any chance of the U.S. Executive branch adopting no-first-use of nuclear weapons in the wake of the dissolution of the Soviet Union, this “lesson” destroyed it.

But there were lessons for others as well. The U.S. “success”—even if it were accepted as true with respect to Iraq—came at a high price, even apart from its dangerous effects on U.S. decision-makers. The message that the United States and its allies regarded such threats both as legitimate and as successful was not lost on potential proliferators, who could imagine themselves either as receiving or as imitating such threats themselves in the future.

Yet another spur to proliferation was the accompanying thought, among Third World observers, that Iraq might have been spared both these nuclear threats and the heavy conventional bombing it received if Saddam Hussein’s efforts to acquire a nuclear weapon had already been successful. Both of these incentives undoubtedly made an impression on some in Iran.

The latter inference became inescapable after 2003, with the dramatic difference in the US responses to a supposed nuclear weapons program in Iraq and an actual successful one in North Korea. Once again, there was talk of nuclear options against a non-nuclear Iraq if Saddam had used chemical or biological weapons against U.S. troops. And this time it seems likely that deterrence would *not* have worked reliably, with Saddam’s regime and his own life at stake facing invading forces in Iraq itself: if he had still had the WMDs that Bush, Cheney, Powell and Tenet claimed.

Iraq, in other words—still not having nuclear weapons itself--was saved from nuclear destruction in response to a chemical defense only by Saddam’s prior compliance with UN inspectors and their own diligence and effectiveness. Meanwhile, both conventional and nuclear threats that even Clinton had aimed at North Korea in the ‘90’s magically disappeared under George W. Bush when North Korea tested its own nuclear device. A

conventional or nuclear US attack in the near future on a yet-non-nuclear Iran would underline that contrast once again for the rest of the world.

“Don’t confront the U.S. without having nuclear weapons,” was the lesson an Indian diplomat drew in 1991: which probably had some bearing on the Indian testing later in the decade (along with U.S. refusal to commit to no-first-use or moves toward abolition at the NPT Renewal Conference in 1995). From 1995, and perhaps from 1991, proliferation was on, in several threshold states.

And once proliferation has occurred, new nuclear states are likely to use the same ambiguous first-use threats, in the same ways and with the same risks of provocation, commitment, and of possible failure and escalation.

The thrust of the argument above is to reject reject the common, condescending belief in the “First World” that significant risk of nuclear war will emerge for the first time only with the acquisition of nuclear weapons by “irresponsible, immature” leaders in the Third World. But it also presumes that the risk of nuclear war has been higher over the last sixty years than the world public was allowed to learn.

With nuclear weapons in the hands of a greater number of leaders, individually no more but *no less* reckless than most American presidents of the last sixty years, the long-term risk of nuclear explosions launched by nuclear weapons states is higher still. There is no basis here for limiting the danger of such attacks exclusively to non-state, “terrorist” groups. The latter real and growing danger must be seen not as replacing but as adding to (and being enhanced by) the dangers of existing and broadened possession of nuclear weapons by states, led by our own.

The Need for an Effective International Norm and Practical Disincentives

Without an effective international norm against both acquisition and threat/use of nuclear weapons, there cannot be an adequate basis for consensual, coordinated international action to prevent such acquisition or use, including intrusive inspection “any time any place,” with comprehensive sanctions against violators of the norm. But there cannot be such a norm, a true international consensus on values and obligations, so long as the current nuclear weapons states project an indefinite extension of a two-tier system in which they are subject to a different set of rules, or in effect, no rules at all.

Still less can there possibly be a universal norm against acquisition or use of nuclear weapons while a superpower, the United States, *is actually engaged in using them*, as at present [September 2007] in threats against Iran.

At the same time, trying to close off all technological access to nuclear weapons will never be enough to discourage others from following America’s and NATO’s nuclear

example. The "supply side" approach, by itself, cannot succeed in stopping proliferation. Nor can the current threats of military preemption.

In the immediate case of Iran, in the absence of a ground invasion--of incalculable cost, length and consequences--a full-scale air assault could actually speed up, over a period of years, Iran's acquisition of nuclear weapons. It would replace any prospects of negotiating intense inspection and restraint of the Iranian nuclear energy program by an uninhibited, totally *uninspected* crash pursuit of nuclear weapons outside the NPT, in underground, dispersed sites.

Meanwhile, this very prospect of an eventual Iranian bomb would encourage nuclear weapons programs throughout the Middle East. This already seems to be occurring, with sudden interest in "nuclear energy" programs in Egypt, Saudi Arabia and the Gulf States. Which of these would be subject to threats of an American preemptive attack? For that matter, which of the more than forty states that could pursue a near-term nuclear capability--with the breakdown of the NPT and moratorium on testing that would almost surely follow an American attack on Iran--would be plausibly deterred by the prospect of American military preemption? Japan? Brazil (followed by Argentina)? Taiwan? South Korea?

Discouraging Iran now and in the future--by a variety of diplomatic means--from leaving the NPT, rejecting international inspection or acquiring nuclear weapons is thus extremely important. But by the same token--contrary not only to Senator McCain ("the only thing worse than war with Iran is Iran with a nuclear weapon") but to the whole Democratic and Republican establishment that has effectively lined up with him on this backwards judgment--***foregoing military assault on Iran is essential.*** For all the severe limitations of the existing "non-proliferation regime," which have brought us to this point, its breakdown would surely be even more dangerous. An American attack on Iran would be a fatal attack on the NPT and the unratified CTB: and any real hope of avoiding a chaotic nuclear regime.

It is urgent for the nuclear-weapon states to acknowledge the reality that they have been denying and the non-nuclear-weapon states have been proclaiming for almost forty years: that in the long run--and that time has arrived--effective non-proliferation is inescapably linked to nuclear disarmament.

It is all or none. Eventually--indeed, very shortly--either all nations forego the right to possess nuclear weapons indefinitely (or very long) and to threaten others with them under any circumstances, or every nation will claim that right, and actual possession and use will be very widespread.

Abolition of nuclear weapons must come in stages, But if proliferation in the near future is to be averted, a true commitment to total abolition of nuclear weapons-- banning and eliminating their use and possession--as the goal is no longer to be delayed or equivocated. We must begin now the effort to explore and to immediately help bring about conditions that will make a world of zero nuclear weapons feasible.

We cannot accept the conclusion that abolition must be ruled out “for the foreseeable future” or put off for generations. There will not be a truly long-run human future without it. In particular, it seems more naïve than realistic to believe that large cities can coexist indefinitely with nuclear weapons. If human civilization in the form that emerged four thousand years ago (in Iraq!) is to persist globally even another century or two, a way must be found to make the required transformations ultimately practical.

Whether they are *politically* possible in the world as it is in 2007 is another question. For the immediate future, the duration of the Bush administration through 2008, that question can be answered definitely: No. For most of the necessary measures, even negotiations toward them are now actively opposed, or stalemated, by the Bush Administration.¹⁴ The Comprehensive Test Ban remains unratified, and the Antiballistic Missile Ban Treaty was rescinded in 2002. Unilateral steps that could reduce nuclear dangers within days or weeks, like ~~de~~-alerting, are not even considered. All this in addition to the nuclear first-use threats and preparations discussed above.

This places an extremely high premium on averting an attack by the Bush administration on Iran—either non-nuclear or, still worse, nuclear—or, so far as possible, the occurrence of a new 9-11 in the U.S. *Either of these, in my opinion, would launch an escalatory dynamic—including a resumption of nuclear testing by the U.S. and thence by many other countries, along with intense domestic repression of dissent in the U.S. and perhaps elsewhere—that would put nuclear disarmament permanently beyond reach.*

But the replacement of this administration in 2009 by another, whether Democrat or Republican, will not, in the light of past experience, make fundamental changes in U.S. policies and posture—the changes that are necessary to prevent widespread nuclear proliferation or use—easy to achieve or even likely. Merely, possible. The obstacles to achieving these changes even after the departure of President Bush and Vice President Cheney are posed not so much by the majority of the American public—though many in recent years have shown dismaying manipulability--but by officials and elites in both parties and by major institutions that consciously support militarism and empire.

Such elites and structures are inordinately powerful. Yet not—as the breaking of the Berlin Wall, the non-violent dissolution of the Soviet empire and the shift to majority rule in South Africa demonstrate—all-powerful.

¹⁴ See the detailed critique of the current status of negotiations in *Nuclear Disorder or Cooperative Security: a Civil Society Assessment of the Final Report of the Weapons of Mass Destruction Commission*, by John Burroughs, Michael Spies, Jacqueline Cabasso, Andrew Lichterman, and Jennifer Nordstrom, copies available from Lawyers' Committee on Nuclear Policy, Michael@lcnp.org.

No First Use

Only in the context of normative as well as practical disincentives to acquire or threaten nuclear weapons can there be effective international collaboration in verifying and enforcing global bans on such activities. (That collaboration is at the same time the best, the only, hope of minimizing terrorist access to nuclear materials.) Such norms have to be universal: one set of rules for everyone.

Years after the former members of the Warsaw Pact, including Russia, began asking to be admitted to NATO, and after China has acquired most-favored-nation status, the United States still refuses to adopt a policy of "no-first-use." This means that the United States refuses to make a commitment to never under any circumstance initiate a nuclear attack. This is also true of Britain, France and now Russia, which abandoned its no-first-use doctrine in late 1993, citing the United States-NATO example and reasoning in doing so.

This is not only a matter of words, as some suppose. Despite sensible moves on both sides beginning in late 1991 to remove tactical nuclear weapons from the surface navy and from ground units—responding to realistic fears in both leaderships of "loose nukes" in the Soviet Union—both states continue to deploy sizeable numbers of tactical weapons on air bases and still larger numbers in reserve storage. Virtually all of these weapons are vulnerable to nuclear attack. Thus, they are weapons *only* for first-use or for use against non-nuclear opponents.

So long as these continue to be components of the nuclear arsenals of both the United States and Russia, even after their own overarching confrontation has ended, there is simply no logical argument for denying either the legitimacy or reasonableness of nuclear arsenals sized and shaped to the same ends in other countries. This is especially true for countries such as Pakistan and Israel, who face regional opponents with much larger conventional forces. This, after all, was the historic rationale for NATO's reliance on first-use nuclear threats.

In May 1990, a nuclear conflict between India and Pakistan over Kashmir was plausibly feared by US officials, and little has happened since to reduce the prospect of a recurrence. But neither then nor later was the United States in a position to invoke an internationally-accepted norm against Pakistan's tacit first-use threats, since Pakistan was so clearly imitating US and NATO behavior. C-II

There is, unfortunately, no one step toward abolition and nuclear safety that will set all the others effectively in motion. But there are several current practices each of which is sufficient to block real change overall; the U.S. proclivity to *use* its nuclear weapons by threatening them, as at present, is one of these.

Out of all the numerous policies where change is urgently, even desperately needed, let me continue to focus on the long-term U.S. rejection of a no-first-use commitment, and the erosion in the last generation even of the "negative security assurance" proclaimed by Secretary of State Vance in 1978 and supposedly reiterated by officials in succeeding

administrations including the current one, which promises, essentially, non-use of nuclear weapons against non-nuclear-weapons states.

Few Americans in or out of government are aware of the extent to which the United States and NATO first-use doctrine has always isolated the United States and its Western allies (including Israel) morally and politically from world opinion. Nor are they familiar with the sharpness of the language used by majorities in the UN General Assembly in resolutions condemning the policies on which NATO has long based its planning.

UN Resolution 36/100, the Declaration on the Prevention of Nuclear Catastrophe, was adopted on December 9, 1981 (in the wake of the 1980 Carter Doctrine, endorsed by Reagan--openly extending first-use threats to the Persian Gulf—which this Resolution directly contradicted and implicitly condemned.) It declares in its Preamble:

that rejection of NFO
 “Any doctrine allowing the first use of nuclear weapons and any actions pushing the world toward a catastrophe are incompatible with human moral standards and the lofty ideals of the UN.”

The body of the UN Resolution 36/100 declares:

SDO
 “States and statesmen that resort first to nuclear weapons will be committing the gravest crime against humanity. There will never be any justification or pardon for statesmen who take the decision to be the first to use nuclear weapons.”

Eighty two nations voted in favor of this declaration. Forty-one (under heavy pressure from the U.S.) abstained; nineteen opposed it, including the United States and most NATO member nations.

That the dissenters were allies of the United States is no coincidence. The first-use doctrine denounced here in such stark terms underlies the basic strategic concept of NATO, devised and promoted by the United States from the early fifties to the present. (Most Americans, polls show, have been unaware of this). NATO plans and preparations not only “allow” first use of nuclear weapons, if necessary to defeat an overwhelming attack; they promise it. They always have, and they still do.

This remains true despite the fact that the possibility of an overwhelming conventional attack against NATO no longer exists. Eighteen years after the fall of the Berlin Wall, hundreds of US tactical nuclear weapons remain in Europe to carry out first-use nuclear attacks as a “last resort,” although the Warsaw Pact is no more and all its former members, including Russia, have indicated desire for membership in NATO. In 1997, a serious effort to promote consideration of a no-first-use doctrine by Germany—West Germany had been the strongest European supporter of the first-use policy during the Cold War-- was shelved after intense opposition by the Carter administration.

Clinton

The same apparent anachronism exists in the case of the Carter Doctrine—which effectively extended the U.S. first-use commitment from NATO Europe to the Persian Gulf and more generally to the Middle East. Just like the NATO strategy, that nuclear-based policy was initially rationalized as required to confront an “external power” supposedly threatening the Gulf—the same one, the Soviet Union—yet the first-use threat persists long after its superpower target has ceased to exist and its place has been taken by no other external power, not Russia or anyone else.

In effect, the Carter Doctrine has been revised to define any domination of the Middle East by any power *internal* to it and not aligned with U.S. interests as a threat to U.S. vital interests (read, vital fluids) requiring and justifying use of any means to oppose it including nuclear weapons.

But the U.S. is not the only recreant in this matter. After Saddam Hussein attacked Kuwait in 1990, not one of the four nuclear states militarily arrayed against Iraq in the Gulf War—the United States, Britain, France and Israel—refrained from tacit threats to initiate nuclear attacks under some circumstances. Of the nine actual nuclear-weapon states, only China has made the simple, unqualified commitment that *it would never, under any circumstances, be the first to use a nuclear weapon against another state, and that it would not use nuclear weapons at all against a non-nuclear-weapon state.*

*The United States should join China in making this commitment, and call on Russia and other nuclear states to do likewise.*¹⁵

As concrete implementation of this shift--apart from repudiating immediately declarations by anyone that “all options” including nuclear first-use are legitimately on any bargaining table-- the U.S. and Russia should agree to withdraw from deployment all tactical nuclear weapons, seeking a global ban, dismantling both weapons systems and nuclear warheads under bilateral safeguards.

With an era of widespread proliferation threatening, it should be unmistakably clear that accepting UN resolution 36/100 as a universal principle would be in the best interests of the United States and the rest of the world. The United States and its allies would join, at last, in a moral judgment that is already asserted by the majority of governments of the world.

What is at issue here is more than the practical benefits of joining in this consensus. There is a moral cost, as well, in reliance by the United States and others on threats and readiness to initiate such slaughter by state action. Many strategic planners and even many arms control analysts have lost track of the reality of what a nuclear bomb is, and what it does. In the light of that reality, plans and doctrines for the use of nuclear weapons, and resistance to the goal of eliminating them, raise questions about who we

¹⁵ Israel, and Pakistan—and thereby, perhaps, India—would likely be the last hold-outs: but their position would then be isolated and de-legitimated rather than, as now, endorsed by major powers.

are—as a nation, as citizens, as a species—and what we have been doing and risking, what we have a right to do, or an obligation, and what we should not do.

Speaking personally, I have always shared President George W. Bush's blanket condemnation, under all circumstances, of terrorism, defined as the deliberate slaughter of noncombatants—unarmed civilians, children and infants, the old and the sick—for a political purpose. Thus, the destruction of the World Trade Center buildings with their inhabitants on September 11, 2001 was rightly recognized as a terrorist action, and condemned as mass murder, by most of the world.

But in contrast, most Americans have never recognized as terrorist in precisely the same sense the firestorms caused deliberately by U.S. firebombing of Tokyo or Dresden or Hamburg or the atomic bombings of Hiroshima and Nagasaki. These deliberate massacres of civilians, though not prosecuted after World War II like the Japanese slaughter at Nanking, were by any prior or reasonable criteria war crimes, wartime terrorism, crimes against humanity. Likewise, the reckless disregard of civilian lives shown in the “collateral damage” inflicted by airpower and occupation forces in Iraq that have caused a major part of the more than 600,000 “excess” civilian deaths in recent years.

Just like the bombs that destroyed Hiroshima and Nagasaki—which would be considered, in terms of scale, tactical nuclear weapons today—any attack by a single tactical nuclear weapon near a densely populated area would kill tens to hundreds of thousands of noncombatants, as those did.

Virtually any threat of first-use of a nuclear weapon is a terrorist threat. (Exceptions might be tactical anti-submarine weapons underwater, or weapons in space, air-bursts against military targets in a desert, or very-low-yield earth-penetrating weapons that may be contemplated for Iran: but any of these would be highly likely to lead, either immediately or by precedent, to less discriminating exchanges). Any nation making such threats—which means the United States and its allies, including Israel, along with Russia, Pakistan and India—is a terrorist nation.

But the same is true of threats of nuclear retaliation to nuclear attack. To threaten second-use—above all with thermonuclear weapons, like the five permanent members of the Security Council-- is to threaten counter-terrorism on the largest of scales: retaliatory genocide. To possess a nuclear weapon is to be a terrorist nation.

To reject terrorism—as we should, as moral beings---is to reject the possession of nuclear weapons. The elimination of nuclear weapons, of nuclear terrorism, will have to be accomplished by multilateral collaboration. But it must be accomplished. To recover fundamental moral bearings, as well as to preserve life and civilization, the United States, Russia, Britain, France, China, Israel, India, Pakistan and North Korea must cease to be terrorist states.

The most urgent step toward that goal in the short-run is for the United States government--president, officials, and Congress, all pressed by a popular movement-- to announce clearly, preferably backed by binding congressional legislation, that *there is no "nuclear option" on the bargaining table with Iran or any other nation: because we as a people and our government recognize that nuclear first-use is not a legitimate "option" for the U.S. or for anyone else under any circumstances.*